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A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE (801) 533-9800
FAX (801) 328-1707

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From:

JOHN M. GUYNN

Comments:

Serial No. 10/726,218

Please see attached.

Docket No.:

7678.576a.1.1

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APR 18 2006PATENT APPLICATION
Docket No. 7678.576a.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian Algar, et al.

Serial No.: 10/726,218

Filed: December 2, 2003

Conf No.: 3751

For: METHOD OF TREATING A PATIENT'S TEETH USING
FLUORIDE RELEASING GLASS COMPOSITION

Examiner: Frederick F. Krass

Customer No.: 022913

) Art Unit
) 1614**CERTIFICATE OF FACSIMILE TRANSMISSION**Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that this paper is being transmitted via facsimile at facsimile number (801) 328-1707 to the Patent and Trademark Office to phone no. (571) 273-8300 (Formal Fax No.) on the date shown below.

- Response to Restriction Requirement (2 pages)
- Transmittal Letter (2 pages)

Dated this 18th day of April 2006.

Respectfully submitted,

JOHN M. GYNN
Attorney for Applicant
Registration No. 36,153
Customer No. 022913JMG:sp
SJ0000031928V001

FILED VIA FACSIMILE

PATENT APPLICATION

Docket No.: 7678.576a.1.1

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60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE: (801) 533-9800
FAX: (801) 328 1707
WEBSITE: HTTP://WWW.WNLAW.COM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian Algar, et al.

Serial No.:

10/726,218

Filed:

December 2, 2003

Conf No.:

3751

For:

METHOD OF TREATING A PATIENT'S TEETH
USING FLUORIDE RELEASING GLASS
COMPOSITION

Examiner:

Frederick F. Krass

Customer No.:

022913

Art Unit
1614TRANSMITTAL FOR RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Restriction Requirement for entry in the above-identified application.


☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.RICK L. NYDEGGER
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SHANE R. JONES
ROBERT M. HANSEN, PH.D.VERNON R. HANSEN
OF COUNSELAdmitted only in Utah state
Admitted only in Virginia

Commissioner for Patents
Page 2 of 2

X Any patent application processing fees under 37 CFR 1.17.

Dated this 18th day of April 2006.

Respectfully submitted,



JOHN M. GYNN
Attorney for Applicant
Registration No. 36,153
Customer No. 022913

JMG:sp
SJ10000001927V001

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PATENT APPLICATION
Docket No. 7678.576a.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian Algar, et al.

Serial No.:

10/726,218

Art Unit
1614

Filed:

December 2, 2003

Confirmation No.:

3751

For:

METHOD OF TREATING A PATIENT'S
TEETH USING FLUORIDE RELEASING
GLASS COMPOSITION

Examiner:

Frederick F. Krass

Customer No.:

022913

RESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a response to the Restriction Requirement dated March 22, 2006, in above-identified application. The Restriction Requirement requires an election of a single metal (or mixture of metals) from among the following species that may be used to form the glass composition: Na, K, Li or Al. Applicants elect sodium (Na) without traverse. The claims that are either generic or specifically read on the elected species are claims 1-9 and 12-25. Claims 10 and 11 read on a non-elected species. Applicants request rejoinder of claims 10 and 11 upon the allowance of a generic claim. Moreover, Applicants note that a claim that requires both sodium and a non-elected metal would read on the elected species.

Application No. 10/726,218
Restriction Requirement dated March 22, 2006
Reply to Restriction Requirement dated April 18, 2006

The Restriction Requirement also requires an election of a specific base bioactive glass composition containing P, F and O, specifically the individual oxide(s) used to produce bioactive glasses within the scope of the claimed invention. Applicants elect P_2O_5 as an oxide used to form the claimed bioactive glasses without traverse (See ¶ [0018] of Application). Each of claims 1-25 is either generic or reads on the elected species.

In the event the Examiner has any questions regarding this communication, the Examiner is invited to contact the undersigned attorney of record.

Dated this 18th day of April 2006.

Respectfully submitted,



JOHN M. GYNN
Attorneys for Applicant
Registration No. 36,153
Customer No. 022913

JMG:sp
JMG000000834V001